

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6503

BILL NUMBER: SB 326

NOTE PREPARED: Jan 8, 2008

BILL AMENDED:

SUBJECT: Credit Time for Tutoring Inmates.

FIRST AUTHOR: Sen. Broden

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- A. It requires the Department of Correction (DOC) to establish, implement, and maintain an offender tutoring program.
- B. It provides that an offender who tutors other offenders and participates in the offender tutoring program may receive good time credit.

Effective Date: July 1, 2008.

Explanation of State Expenditures: Depending on the number of offenders who volunteer as tutors and the number of offenders who need tutoring, there are potentially over 4,515 offenders who could qualify for additional time reductions from their terms of incarceration if they are chosen to be trained to tutor other offenders. DOC indicated that staff in the DOC facilities would likely need to be reassigned to train tutors to effectively teach other offenders. The amount of time that might be needed to provide this training could range from 140 to 160 staff hours.

The average expenditure to house an adult offender was \$19,185 in FY 2007. (This does not include the cost of new construction.) If offenders can be housed in existing facilities with no additional staff, the average cost for medical care, food, and clothing is approximately \$1,825 annually, or \$5 daily, per prisoner.

Background- Based on the one-day count from October 22, 2007, and records of offenders with time cuts for earning various degrees and diplomas, LSA estimates that 4,515 offenders have a determinate sentence and are in Credit Class 1.

Offenders with determinate sentences have a minimum amount of time that they must be incarcerated before being released. They may receive time cuts for both good behavior and for completing educational, vocational, and substance abuse programs. Offenders who are in Credit Class 1, which is the offender population that complies with DOC rules and regulations governing offender conduct, receive one day off their sentence for each day they remain in Credit Class 1. In order for these offenders to receive cuts for completing educational and vocational programs, they must be in Credit Class 1.

Offenders with an indeterminate sentence were committed to DOC before July 1, 1977, and are likely to be in prison for the remainder of their lives. Offenders sentenced to life without parole will also remain in prison for the remainder of their lives.

Any additional reduction in offenders in DOC facilities will depend on how the programs under this bill would be implemented.

| Unduplicated Count of Offenders in DOC Facilities on October 22, 2007, with a Degree or Diploma | | | | | |
|--|------------------------|-------------------------|---------------------------|------------------------|--------------|
| Degree/Diploma | Number of Offenders | In Credit Class 1 With: | | | Total |
| | | Determinate Sentence | Indeterminate Sentence | Life Without Parole | |
| Bachelor | 530 | 520 | 1 | 2 | 523 |
| Associates | 1,060 | 991 | | 3 | 994 |
| High School Diploma | 121 | 115 | | - | 115 |
| GED | <u>3,080</u> | <u>2,889</u> | | <u>4</u> | <u>2,893</u> |
| Total | 4,791 | 4,515 | 1 | 9 | 4,525 |

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources: John Nalley, Department of Correction; Offender statistics.

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